

**From:** [Gloria-Small Moran](#)  
**To:** [Jonathan Carroll](#)  
**Cc:** [Gary Moore](#); [Rafael Casanova](#); [Richard Bergner](#); [Robert Werner](#)  
**Subject:** Falcon Refinery Superfund Site - Followup to Conference Call of Thursday, May 3, 2012  
**Date:** 05/08/2012 04:11 PM

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Jonathan:

The Region thanks you again for the opportunity to discuss the Falcon Refinery Superfund enforcement case with you. The Site team briefed the Acting Division Director and the following decisions were made:

First, as we indicated during our call, the EPA is proceeding with the Remedial Investigation and Feasibility Study (RI/FS). One proposal from the briefing is that there may be an opportunity for the owner of the Site, which you indicate is Lazarus Texas Refinery I, LLC, to perform the Feasibility Study phase of the RI/FS. The Site team did not recommend the participation of LTR I, LLC in the RI/FS phase because as we indicated to you during the conference call, a good-faith sign of LTR I, LLC would be the payment of the outstanding amount in the March 9, 2012 letter to Richard Bergner relating the Final Request for Replenishment of Special Account #2. In addition, LTR I, LLC as a preliminary matter would have to demonstrate the ability to perform the Feasibility Study phase.

Second, as we indicated during our call, please expect within the next weeks a letter seeking information about the ownership of the Site, including the corporate structures of the related corporate entities in connection with the Site.

If you have any questions, please do not hesitate to contact Gary Moore at 214-789-1627, Rafael Casanova at 817-832-8209 or Bob Werner at 214-665-6724. Each Site team member can be reached via email as well. If you want to speak to me, my contact information is below.

Thank you again.

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